

**Maryland Board of Pharmacy
Public Meeting
Minutes**

June 16, 2010

Name	Title	Present	Absent	Present	Absent
Anderson, C.	Commissioner	X		11	1
Bradley-Baker, L.	Commissioner	X		12	0
Chason, D.	Commissioner	X		12	0
Finke, H.	Commissioner	X		11	1
Handelman, M.	Commissioner	X		11	1
Israbian-Jamgochian, L.	Commissioner	X		12	1
Leandre, A.	Commissioner		X	10	2
Matens, R.	Commissioner	X		10	2
Souranis, M.	Commissioner/Treasurer	X		10	2
Taylor, D.	Commissioner/President	X		12	0
Taylor, R.	Commissioner/Secretary	X		11	1
Zimmer, R.	Commissioner	X		11	1
Bethman, L.	Board Counsel	X		12	0
Gibbs, F.	Board Counsel	X		12	0
Banks, T.	MIS Manager	X		7	5
France, Kimberly	Compliance Officer	X		3	1
Gaither, P.	Administration and Public Support Manager	X		12	0
Goodman, S.	Licensing Manager	X		8	4
Jeffers, A.	Legislation/Regulations Manager	X		12	0
Naesea, L.	Executive Director	X		12	0
Seeds, Janet	Public Information Officer	X		4	0
Waddell, L.	Executive Secretary	X		10	2

Subject	Responsible Party	Discussion	Motion	Results
I. Call to Order & Approval of Minutes	Donald Taylor, Board President	<p>A. D. Taylor called the Public Meeting to order at 9:00am.</p> <p>B. D. Taylor requested all meeting attendees to introduce themselves and to remember to sign the guest list before they leave the meeting</p> <p>C. D. Taylor reported that guests will be given packets of materials so that they can follow meeting discussions. He requested that the guests please return the draft packets when they leave the meeting.</p> <p>D. Members of the Board with a conflict of interest relating to any item on the agenda were advised to notify the Board at this time or when the issue is addressed in the agenda.</p> <p>E. Revisions to Minutes: Approval of May 19, 2010.</p> <p>Page 2, A3, 2nd line: change "Coalitio s" to "Coalition's"</p> <p>Page 12, D3, 4th line: change Dos to "DO's."</p>	<p>Motion to approve minutes as amended: R. Zimmer</p> <p>Second: H. Finke</p>	The Board voted to approve the minutes as amended.

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II. Meeting Updates	Donald Taylor, Board President	<p>D. Taylor reported on the following meeting updates</p> <ol style="list-style-type: none"> 1. C. Anderson worked for a week - May 22 – 29, 2010 as a pharmacist in a field hospital in Haiti. C. Anderson said that it was hard work and that she wished she had a team of pharmacists to assist her. 2. The University of Maryland School of Pharmacy held their Honors Convocation ceremony on Friday May 21, 2010 at the Sheraton Baltimore City Center Hotel. Don Taylor presented the Pharmacist's Oath to the approximately 120 graduates. 3. NABP held its 106th Annual Meeting in Anaheim, CA on May 22-25, 2010. L. Israbian-Jamgochian attended as the Board's representative. L. Israbian-Jamgochian reported that 2009 was the best fiscal year for NABP and that there was a new president elected. NABP will be holding their District I and II Meeting in Cooperstown, NY on Oct 29-31, 2010. 4. L. Bradley-Baker & R. Taylor attended the Drug Therapy Management (DTM) Committee meeting on June 9, 2010. The committee is currently working on three protocols and are maintaining their scheduled monthly meetings. The committee plans to meet to work on amending the DTM regulations to help streamline the application process. The next Drug Therapy Management (DTM) Committee meeting is scheduled for July 7th. 5. The MPhA's annual conference was held in Ocean City at the Clarion Resort Fountainebleau Hotel on June 12 – 15, 2010. Board PIO, J. Seed hosted a booth at the event and members D. Taylor, L. Bradley-Baker, L. Israbian-Jamgochian, and H. Finke attended. <ol style="list-style-type: none"> a. 180 – 200 attendees were present b. New President Carol Stevenson was installed c. Approximately 19 hr of live CEs were available. The Friday session on immunization certification was presented by the University of Maryland School of Pharmacy d. Judge Fader presented an informative session on Prescription Audits and the importance of (and the help) that the Insurance Commissioner can provide pharmacists. e. Resolutions were passed during the conference. 6. There will be a Summit for Healthcare Professionals held June 18, 2010 at the Turf Valley Resort in Ellicott City. The focus will be on 2010 entitled, "Caring for Service Members, Veterans and Their Families." The General Assembly passed HB 1353 & the Governor signed it into law which requires the transitioning of members of the National Guard and 		

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		<p>Reserve forces into civilian health care provider positions. D. Taylor plans to attend that meeting and will report any "group" suggestions that would apply to pharmacy.</p> <p>7. The MD Professional Volunteer Corp training at BWI Weston on June 22, 2010 for all professional volunteers has been canceled due to scheduling conflicts.</p> <p>8. The Board has been requested by DHMH to participate in a conference call scheduled by the Federal Environmental Agency on the subject of "Safe Disposal of Medications". L. Naesea and A. Jeffers will participate. Wendy Kronmiller is also trying to arrange a meeting with various State agencies, MDE, MedChi, DNR, DOE, Board of Pharmacy and an advocacy group – H2E on the same topic.</p> <p>9. Deputy Secretary Frances Phillips has asked D. Taylor to participate in a Mid-Atlantic Region H1N1 Summit on June 24, 2010 at The Marriott Inn and Conference Center in Hyattsville, Maryland. Maryland, Virginia, and DC State Health Officers, their staffs and partners from the neighboring states of Pennsylvania, Delaware and West Virginia are invited. The main topic will be the intra-regional cooperation during the H1N1 event last year, best practices, and lessons learned.</p> <p>10. There will be a conference at the Baltimore Intercontinental Harbor Court June 28 – 29, 2010 entitled "Crossroads for Temperature Sensitive Drugs (USA)". K. France, Pharmacist Compliance Officer, will be a panel speaker. The agenda is still in the planning stage, but the topic is timely from the Board's perspective.</p> <p>11. SAMHSA (Substance Abuse & Mental Health Services Administration) will hold a national conference on "Health Communication, Marketing and Media" August 17 – 19, 2010 in Atlanta, Ga.</p> <p>12. ASLME (American Society of Law, Medicine & Ethics) will hold a national conference on "Using Law, Policy and Research to Improve the Public's Health" Sept. 13 –15, 2010 in Atlanta, Ga. This is being promoted to <i>anyone interested in using the law as a tool to improve the public's health.</i></p> <p>13. National Conference on Quality Health Care for Culturally Diverse Populations will be held on Oct 18-21, 2010 at the Baltimore Renaissance Harborplace Hotel. L. Bradley-Baker will be attending on behalf of the Board.</p>		

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		14. L. Naesea reported that she attended a Baltimore Housing Authority Fair on June 12, 2010 at the O'Donnell Heights housing unit. L. Naesea provided brochures to participants on the "Safe Use of Medications".		
III. Executive Director	LaVerne Naesea, Executive Director	<p>A. Staffing & Operations Updates:</p> <p>1. Laurie Cohen resigned her position as Licensing Secretary, effective June 4, 2010. The Board is requesting a freeze exempt in order to fill the position. L. Naesea and P. Gaither met with Tom Jackson, building manager regarding constructing a waiting area and installing doors that may be locked to secure property and provide greater safety for staff members. The Board has experienced incidents in the past of things being stolen from their desks and customers entering unauthorized office areas.</p> <p>2. The Board's two most recent programs, Pharmacy Technician and Wholesale Distributors, have caused a severe depletion of filing space. Board staff is looking into acquiring a new system that will provide greater storage and eliminate some manual functions. The Board managers will be meeting on June 17, 2010 to come up with recommendations to bring back to the Board for approval.</p> <p>3. The Board has been trying to contact Wendy Kronmiller about the Dispensing Medications Regulations without success. Anna will follow-up and share any subsequent information at the next Practice Committee meeting.</p> <p>B. L. Naesea reported that the Board will elect new Board officers today and would like to defer the balloting until R. Taylor arrives at the meeting.</p> <p>C. L. Naesea reported that the 2010 preliminary Sunset Evaluation has begun which allows legislative analysts an opportunity to review Board operations to see if there is a need for the Board to continue to exist and</p>		

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		<p>to determine whether operations and procedures are adequate. L. Naesea reported that the she will meet with the managers on June 17, 2010 to discuss the process in preparation for the review. Analyst Erin McMullen was introduced to the Board and remained to observe the Public Board meeting. She is assigned to do the preliminary summary evaluation of the Board.</p> <p>D. L. Naesea will explore purchasing a speaker system and other options for Board meeting rooms to address concerns about the sound quality during future Board meetings.</p>		
IV. PEAC Report	Anthony Tommasello, PEAC	<p>A. PEAC monthly statistics for the Board. See Attachment 1, Section D.</p> <p>B. A. Tommasello asked the Board to support distribution of PEAC's new newsletter.</p> <p>c. PEAC will host an seminar on Prescription Drug Abuse on September 25, 2010. The seminar will take place at Cross Keys or Rockwell for one half day. PEAC is also appointing new members to its Board of Directors.</p>		
V. Legislation and Regulations	Anna Jeffers, Legislation and Regulation Manager	A. Maryland Regulations - Status:		
		<p>10.34.03 Inpatient Institutional Pharmacy</p> <p>Board APPROVAL requested for release for INFORMAL COMMENT</p> <p>Draft revisions to 10.34.03 for Bd 061610</p> <p>Mike Souranis requested that the exact wording of the definition of "Pharmaceutical care" from the statute be repeated in the definition section of this regulation.</p>	<p>Motion: D. Chason made a motion to approval for informal comment</p> <p>R. Zimmer seconded the motion.</p>	The Board voted to approve the motion.
		10.34.05, .07, .12, .13, and .15 – Effective July 1, 2010		
		<p>Security</p> <p>Pharmacy Equipment</p> <p>Removal of Expired Drugs</p> <p>Reinstatement</p> <p>Reciprocity</p>		

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		10.34.18 Continuing Education – Effective July 1, 2010		
		10.34.20.01 - .04 Format of Prescription Transmission - Published June 4, 2010 Md. R. June 4, 2010 COMAR 10.34.20 New DEA ruling allowing electronic prescribing of CDS Official comment period open until July 6th	Action Item: A. Jeffers is to make sure that the Board's new regulations are in line with DEA.	
		10.34.23 Pharmaceutical Services to Patients in Comprehensive Care Facilities – Published June 4, 2010 Md. R. June 4, 2010 COMAR 10.34.23 Official comment period open until July 6th		
		10.34.25 Delivery of Prescriptions Submitted to the Department June 11, 2010		
		10.34.28 Automated Medication Systems Reproposal submitted to the Department April 12, 2010. Question from Wendy Kronmiller – She is concerned about implementation for the few hospitals who have not yet complied. COMAR 10.34.28.04 was adopted August 5, 2002 and was considered a "grandfathering" clause at that time. BOARD CONSIDERATION REQUESTED for the few facilities that have not yet made the necessary upgrades – waiver? BOARD APPROVAL REQUESTED TO ADOPT AS REPROPOSED OR TO ADOPT WITH CHANGES TO THE REPROPOSAL It was suggested to insert the same language that was in the original regulations concerning grandfathering.	Action Item: A. Jeffers is to refer back to the Practice Committee meeting in June to be considered for approval again at the July Board meeting.	
		<u>10.13.01 Dispensing of Prescription Drugs by a Licensee</u> Waiting to hear from Wendy Kronmiller		

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		<p>Maryland Legislation</p> <p>1) Licensure of out of state pharmacists practicing in Maryland</p> <p>DRAFT Bill - Pharmacy - Licensure of out of state pharmacists</p> <p>Discussion ensued concerning whether a conflict of laws section was appropriate or enforceable. The Board voted to remove that section.</p>	<p>1. Motion: H. Finke made a motion to accept the Draft Bill as amended</p> <p>M. Souranis seconded the motion</p>	<p>1. Board Action: The Board voted to approve the motion.</p>
		<p>2) Delegate Hammen - HB 707 Sexual Suplmt Act 050410</p> <p>Hb707f 2</p> <p>Draft letter to Del. Hammen - OTC aphrodisiac drugs 061610</p> <p>An amendment was offered to correct a typographical error.</p>	<p>2. Motion: M. Souranis made a motion to accept the letter as amended.</p> <p>D. Chason seconded the motion.</p>	<p>2. Board Action: The Board voted to approve the motion.</p>
		<p>3) An offer of expertise:</p> <p>Marijuana Policy Project Letter</p> <p>D. Taylor reported that the bill will be re-introduced during the next session.</p>		
		<p>4) Drug Therapy Management</p> <p>Draft letter to Bd of Physicians requesting req changes 052710</p> <p><u>An amendment was offered to correct two minor typographical errors.</u></p>	<p>4. Motion: R. Zimmer made a motion to approve the letter.</p> <p>M. Souranis seconded the motion.</p>	<p>4. Board Action: The Board voted to approve the motion.</p>
		<p>5) Department Healthcare Reform</p> <p><u>Letter to solicit comments and ideas for Maryland's implementation of the federal health reform act.</u></p> <p>It was discussed that there would be an increase in the number of prescriptions. It would save patients and the State money if Maryland would require generics & remove any obstacles to generic substitution</p>		

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VI. Inspection Program Report	Kimberly France, Compliance Manager	A. Compliance monthly statistics for the Board. See Attachment 1, Section C.		
VII. Management Information Services	Tamarra Banks, MIS Manager	<p>1. MIS monthly statistics for the Board. See Attachment 1, Section F.</p> <p>2. T. Banks reviewed the Systems Automation Database System new proposal, which includes a fee for importing and exporting data, and does not provide a timeframe for when the system installation would be completed. She noted that MIS staff will not be able to make changes to the system and that there will be additional charges for all changes and system upgrades.</p> <p>R. Taylor reported that the Board really needs a working system. System Automation (SA) has been proven to work. The only issue is to get all of the Board's data uploaded into the SA system.</p> <p>L. Irsabian-Jamgochian reported that she participated in a demonstration of the system and that it links licensing and compliance systems together, which is really needed.</p> <p>D. Taylor reported that the Board will have to spend money on a database system whether it's SA or another system.</p> <p>L. Naesea reported the Board does not have funds approved in this year's budget and will need to request that the Board's approved budget be amended to provide project funding. L. Naesea stated that DHMH MIS staff is encouraging the Board to contract with SA.</p> <p>D. Taylor asked that the Board vote whether to move forward with Systems Automation.</p> <p>3. T. Banks reported that the she and D. Chason are working on a new format for Board Stats.</p>	<p>2. R. Taylor made a motion to move forward with Systems Automation.</p> <p>M. Souranis seconded the motion.</p>	2. Board Action: The Board voted to approve the motion.

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VIII. Administration & Public Support	Patricia Gaither, Administration and Public Support Manager	<p>A. Administration and Public Support monthly statistics for the Board. See Attachment 1, Section G.</p> <p>B. P. Gaither reported the following updates;</p> <p>1. The Board submitted a 2011 budget request for \$2,633,813.00 and was approved for \$2,539,580.00, which is \$94,233.00 less than the Board's request. The reduction in the request was for the service reduction and furlough days, as well as the State elimination of out of state travel in fiscal year 2011.</p> <p>2. The approved FY 2011 budget was increased to include 2 vehicles, funds for the law book reprint, the new PEAC contract and the cost of living increase.</p> <p>3. All travel expense reports are due on June 30, 2010. Members were asked to turn in reports timely so that APS can send them to General Accounting by July 3, 2010.</p> <p>4. S. Goodman will be attending NABP training in Chicago, Illinois compliments of NABP. N. Dupye will be attending a Business Writing and Grammar Skills training in July, 2010.</p>		
IX. Public Relations Committee Report	Janet Seeds, Public Information Officer	<p>A. J. Seeds provided the Public Relations Committee Report:</p> <p>1. CE Breakfast Sunday, October 3, 2010 at the Radisson at Cross Keys. L. Bradley-Baker will be the Master of Ceremony (MC), The CE Breakfast, entitled "Enhancing Pharmacist Role" will be advertised in the Summer Newsletter. The following topics will be discussed:</p> <ul style="list-style-type: none"> a. Drug Therapy Management - Rodney Taylor b. Discussion of Medical Marijuana – Del. Dan Morhaim c. Drug Repository – Del. David Rudolph (invited) d. Long Term Care e. Patient Counseling. 		

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		<p>2. The Summer newsletter is being finalized. Annual Reports will be placed in everyone's mailbox.</p> <p>3. The Public Relations Committee recommended that the Board give awards to pharmacists that have been licensed for 50 or more years. The awards would include a Governor's Citation and Legislative Citation.</p>	<p>3. Motion: Public Relations Committee made a motion to give awards Pharmacists who have practiced 50 years or more.</p> <p>M. Souranis seconded the motion.</p>	<p>3. Board Action: The Board voted to approve the motion.</p>
X. Practice Committee	Reid Zimmer, Chair Anna Jeffers, Legislation and Regulation Manager	R. Zimmer reported on the following Public Inquiries: 1) Haggarty - Schedule II prescription Draft - Bd Response - Haggerty - Walgreens 061610	1. Motion: D. Chason made a motion to approve the letter as written. M. Souranis seconded the motion	1. Board Action: The Board voted to approve the motion.
		2) Disposal program letter to pharmacies Linda's final 052710	2.Motion: H. Finke made a motion to accept the letter as amended R. Taylor seconded the motion.	2. Board Action: The Board voted to approve the motion.
XI. Licensing Committee	Mike Souranis, Chair	<p>A. Licensing Committee statistics for the Board. See Attachment 1, Section A and E.</p> <p>B. Implementation of New Licensing Regulations Letter to pharmacists regarding new CE requirements</p> <p>Notification of new requirements:</p> <ul style="list-style-type: none"> • 2 Hrs live CE • 1 hr medication errors <p>Recommended waiving the new requirements for 2 months (July and August).</p>	<p>B1. Motion: R. Zimmer made a motion to accept the regulation as written.</p> <p>D. Chason</p>	<p>Motion withdrawn</p>

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			<p>seconded the motion.</p> <p>B2. Motion: R. Zimmer made a motion to extend the waiver for July, August and September.</p> <p>D. Chason seconded the motion.</p>	<p>Board Action: The Board voted to approve the motion.</p>
		<p>C . Pharmacy Technician Training Program Approval</p> <ul style="list-style-type: none"> University of Maryland Medical Systems 	<p>Motion: Licensing Committee made a motion to accept the University of Maryland Medical Systems Pharmacy Technician Training Program.</p> <p>R. Matens seconded the motion.</p>	<p>Board Action: The Board voted to approve the motion.</p>
		<p>D. Prescription Drug Repository Drop off Site for Approval</p> <ul style="list-style-type: none"> Professional Pharmacy 	<p>Motion: Licensing Committee made a motion to approval Professional Pharmacy as a Drop off Site.</p> <p>R. Matens seconded the motion.</p>	<p>Board Action: The Board voted to approve the motion.</p>

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		E. Patient specific Dispensing <ul style="list-style-type: none"> <input type="checkbox"/> The Licensing Committee wanted to discuss the issue of an institution with their company information redacted 	Motion: R. Matens made a motion to send the letter back to Licensing Committee. H. Finke seconded the motion.	Board Action: The Board voted to approve the motion.
		F. Vaccination Application	Action Item: Summar and Tamarra are to repost to the website.	
XII. Disciplinary Committee	Lenna Israbian-Jamgochian, Chair	Compliance Committee monthly statistics for the Board. See Attachment 1, Section A and C.		
XIII. Long Term Care	Mayer Handelman, Chair	M. Handelman reported on the following Long Term Care Committee Report update: 1. Letter from Carmen Catizone thanking the Board for its letter regarding LTCF Controlled Substance Dispensing.		
XIV Informational	Donald Taylor, President	D. Taylor reported on the following Information updates: A. First “doughnut hole” checks of \$250.00 have been mailed to seniors to help with Medicare prescriptions. B. Misuse of illicit drugs prevalent in US high schools students at a 20% rate. C. Paying patients to take medications regularly. Give patients a computerized coupon for each time that they take the medication. Evidence MTM needed D. D. Taylor reported that the new elected Board officers are: President - Mike Souranis		

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		Secretary - Rodney Taylor Treasurer - Lenna Israbian-Jamgochian NABP Delegate - Lenna Israbian-Jamgochian NABP Alternate - Harry Finke		
XV. Adjournment	Donald Taylor, Board President	<p>A. D. Taylor asked for a motion to close the Public Meeting and open a Closed Public Session for the purpose of engaging in medical review committee deliberations of confidential matters contained in technician applications in accordance with State Government, Sect. 10-508(a)(13).</p> <p>The Public Meeting was adjourned at <u>12:31</u> P.M.</p> <p>B. At <u>1:00</u> P.M. D. Taylor convened a Closed Public Session to conduct a medical review of technician applications.</p> <p>C. The Closed Public Session was adjourned at <u>1:20</u> P.M. Immediately thereafter, D. Taylor convened an Administrative Session for purposes of discussing confidential disciplinary cases. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Administrative Session.</p>	<p>Motion: R. Matens made a motion to closed the Public meeting and open the Closed Public Meeting.</p> <p>R. Zimmer seconded the motion.</p>	Board Action: The Board voted to approve the motion.